

2011 Probate Case Management Protocol

Effective September 6, 2011, the Probate and Mental Health Department's Case Management Protocol has been revised. Generally, if a contested matter cannot be completed in a single hearing of **three (3) hours or less**, it is anticipated that the matter will be transferred from a commissioner to a judge for the hearing. A judge may also hear contested matters of three (3) hours or less at the discretion of either the Presiding Judge or Associate Presiding Judge, taking into account the complexity of the matter or other issues particular to the case. The Protocol continues to require the parties to participate in good faith in the alternative dispute resolution (ADR) process prior to the contested hearing unless the assigned judicial officer determines that the cost of ADR exceeds its benefit.